

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RICHARD STEVEN RAMNARINE,

Petitioner,

Case No. 2:10-CV-88

v.

HON. GORDON J. QUIST

GARY CAPELLO,

Respondent.

ORDER ADOPTING
REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on July 28, 2011. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed July 28, 2011, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that Respondent's Motion For Summary Judgment And Dismissal Of Petition For Writ Of Habeas Corpus (docket no. 19) is **GRANTED**, and Petitioner's habeas corpus petition is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust available State court remedies.

This case is **concluded**.

Dated: September 13, 2011

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE